IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	
Jonathan Lowthert et al.	§	Art Unit: 2424
	§	
Serial No.: 09/765,246	§	Examiner: Usha Raman
	§	
Filed: January 18, 2001	§	Conf. No.: 8160
	§	
For: Providing Content	§	Atty Docket: BKA.0008US
Interruptions	§	
	§	

Mail Stop **Appeal Brief-Patents**
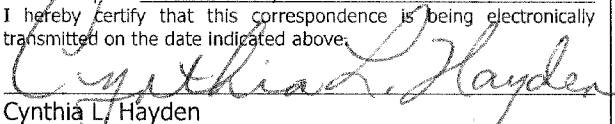Commissioner for Patents
P.O. Box 1450
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REPLY BRIEF

The rejection of claim 21 should be reversed because no reference teaches using a characteristic of the receiver hardware to automatically and selectively choose the subset of advertising resources from the first subset listing and to cache through the advertisements corresponding to the subset of advertising resources to store the advertisements on the receiver.

It is noted in the final rejection that the cited references to Picco and Thomas do not teach this feature. Instead, it is suggested that Sahai teaches the feature.

However, even the material cited in the office action within Sahai makes it clear that Sahai merely uses the characteristics of the receiver to determine how to transmit information to that receiver. See, e.g. Sahai at column 2, lines 22-24 ("The server determines the characteristics of the transfer to the client based on the capabilities and preferences").

It is a very different concept to use the capabilities of the receiver to determine how to transfer data to the receiver, as opposed to using the characteristics of the receiver to choose a subset of advertising resources, those that will be stored.

Since a *prima facie* rejection is not made out, the rejection of claim 21 and its dependent claims should be reversed.

Respectfully submitted,

Date: December 14, 2009

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